

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

KHALFANI ATKINSON,

Petitioner,

v.

**Civil Action No. 1:06cv19
Criminal Action No. 1:02cr36(1)
(Judge Keeley)**

UNITED STATES OF AMERICA,

Respondent.

ORDER GRANTING MOTION TO FILE RESPONSE OUT OF TIME

For good cause shown, the respondent's motion to file its response out of time (dckt. 6) is **GRANTED**. The response filed on September 28, 2006, is deemed timely.

IT IS SO ORDERED.

The Clerk is directed to mail a copy of this Order to the *pro se* petitioner.

DATED: August 9, 2007.

/s *John S. Kaull*
JOHN S. KAULL
UNITED STATES MAGISTRATE JUDGE